

REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF SAN ANTONIO, HELD IN
THE COUNCIL CHAMBER, CITY HALL, ON
THURSDAY MARCH 17, 1994.

94-13 The regular meeting was called to order at 1:00 P.M. by the Presiding Officer, Mayor Nelson W. Wolff, with the following members present: PEREZ, McCLENDON, BILLA BURKE, AVILA, SOLIS, AYALA, ROSS, THORNTON, PEAK, LARSON, WOLFF. Absent: NONE.

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94-13 Invocation - Reverend Paul van Coillie, Our Lady of Good Counsel Catholic Church.

94-13 Pledge of Allegiance to the flag of the United States.

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94-13 Minutes of the February 24, 1994 Regular City Council Meeting were approved.

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94-13 30-45 YEAR EMPLOYEE RECOGNITION

Mayor Wolff stated that a group of City employees, those observing their 30, 35, 40 and 45-year anniversaries with the City of San Antonio, are present today to be recognized for their years of service to the City.

As Mayor Wolff introduced each, members of City Council presented them with individual Certificates honoring their respective years of service.

Mr. Alex Briseno, City Manager, spoke to tomorrow evening's Employee Appreciation Banquet, which will recognize and honor some 11,000 cumulative years of service to the City. He then thanked these employees for their hard work and dedication.

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94-13 SAN ANTONIO CONSERVATION SOCIETY - 70th ANNIVERSARY

Mayor Wolff spoke to the celebration of the Conservation Society's 70th anniversary this year and spoke to some of the group's major accomplishments.

Ms. Marianna Jones, Society President, introduced the officers

of the Society, present in the audience, and spoke briefly to the group's history, beginning with its battle to preserve the San Antonio River in the downtown area. She noted that the Society has some 3,000 members, working to preserve the city's history and culture. Members of the Society then distributed invitations to the celebratory event, and also handed out special "Night In Old San Antonio" pins to members of City Council.

City Council members congratulated the Conservation Society on its works and its history.

94-13 MS. BERTA CHAVEZ - "AT YOUR SERVICE" AWARD

Mayor Wolff introduced Ms. Berta Chavez, Personnel Specialist II, Management Services Department, this month's honoree and "At Your Service" award recipient.

Mr. Alex Briseno, City Manager, spoke briefly to Ms. Chavez' background as a City employee.

A videotaped presentation outlined her duties and responsibilities.

Mayor Wolff and City Council members individually congratulated Ms. Chavez.

Mayor Wolff and City Manager Briseno then jointly presented her with a special Certificate and a \$200 check in recognition of her work.

Ms. Chavez thanked the Mayor, City Council and City Manager for the recognition, and singled out the City personnel staff and others for their support.

94-13 CONSENT AGENDA

Ms. Billa Burke made a motion to approve Agenda Items 6 through 32d, constituting the Consent Agenda, with Items 8, 14, 15, 18, 19 and 27 being pulled for individual consideration. Mr. Avila seconded the motion.

After consideration, the motion, carrying with it the passage of the following Ordnances, prevailed by the following vote: AYES: McClendon, Billa Burke, Avila, Solis, Ayala, Ross, Thornton, Peak, Larson, Wolff. NAYS: None. ABSENT: Perez.

AN ORDINANCE 79,805

ACCEPTING THE LOW BID OF CARGO FURNITURE, INC. IN

THE AMOUNT OF \$5,721.60 TO PROVIDE THE CITY OF SAN ANTONIO FIRE DEPARTMENT WITH OFFICE FURNITURE.

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AN ORDINANCE 79,806

ACCEPTING THE LOW BID OF BOB J. JOHNSON & ASSOCIATES, INC. IN THE AMOUNT OF \$4,520.00 TO REPLACE WATER SOFTENER CONTROLLERS AND SERVICE WATER SOFTENERS AT THE AIRPORT CENTRAL PLANT.

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AN ORDINANCE 79,807

ACCEPTING THE LOW BID OF RADIODETECTION CORPORATION IN THE AMOUNT OF \$5,668.00 TO PROVIDE THE CITY OF SAN ANTONIO PUBLIC WORKS DEPARTMENT WITH TWO UNDERGROUND PIPE AND CABLE LOCATORS.

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AN ORDINANCE 79,808

RATIFYING THE EMERGENCY PURCHASE OF BERMUDA GRASS SOD FROM QUALITY TURF FARMS IN THE AMOUNT OF \$12,000.00 TO ESTABLISH A TURF FIELD AT THE CITY'S BASEBALL STADIUM SCHEDULED TO OPEN IN APRIL 1994.

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AN ORDINANCE 79,809

ACCEPTING THE LOW BID OF POWERS INDUSTRIAL EQUIPMENT COMPANY IN THE AMOUNT OF \$4,310.00 TO PROVIDE THE CITY OF SAN ANTONIO AUTOMOTIVE OPERATIONS DIVISION WITH FILTERS FOR ANTI-FREEZE RECYCLING MACHINES.

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AN ORDINANCE 79,810

ACCEPTING THE LOW QUALIFIED BID OF BILL MUNDAY PONTIAC IN THE AMOUNT OF \$104,587.00 TO PROVIDE THE CITY OF SAN ANTONIO COMMUNITY INITIATIVES DEPARTMENT WITH MINIVANS FOR USE IN THE ELDERLY AND DISABLED SERVICE DIVISION.

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AN ORDINANCE 79,811

CANCELLING THE CONTRACT WITH AARONGER SERVICES AWARDED ON JULY 23, 1993 AND ACCEPTING THEIR RE-BID IN THE AMOUNT OF \$29,000.00 ANNUALLY FOR THE REMOVAL AND DISPOSAL OF MATERIALS FROM THE CITY'S SUMP PITS LOCATED AT VARIOUS AUTOMOTIVE FACILITIES, POLICE SUB-STATIONS AND SAN ANTONIO ANIMAL CONTROL CENTER.

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AN ORDINANCE 79,812

AUTHORIZING FIELD ALTERATION NO. 17 IN THE AMOUNT OF \$58,835.00 PAYABLE TO M. J. BOYLE GENERAL CONTRACTOR, INC. IN CONNECTION WITH THE CHAMBER - MAIN PLAZA BUILDING PROJECT; AUTHORIZING \$7,000.00 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCY EXPENSES, AND AN ADDITIONAL \$5,198.50 FOR ARCHITECTURAL FEES; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 79,813

SELECTING ALAMO CONSULTING ENGINEERING & SURVEYING, INC. TO PROVIDE RIGHT-OF-WAY SERVICES IN CONNECTION WITH THE WESTERN AVENUE DRAINAGE PROJECT NO. 74, PHASE III; DIRECTING STAFF TO NEGOTIATE A CONTRACT WITH SAID FIRM FOR AN AMOUNT NOT TO EXCEED \$8,400.00; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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AN ORDINANCE 79,814

AUTHORIZING THE EXPENDITURE OF THE SUM OF \$3,711.00 OUT OF GENERAL OBLIGATION BONDS; AND ACQUIRING TITLE TO TWO PARCELS IN CONNECTION WITH THE OCTAVIA PLACE DRAINAGE PROJECT #63.

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AN ORDINANCE 79,815

AUTHORIZING THE ACCEPTANCE OF AN ADDITIONAL \$134,790.00 IN CONTRACT SUPPORT FROM THE NATIONAL INSTITUTE OF CHILD HEALTH AND HUMAN DEVELOPMENT (NICHD) IN SUPPORT OF THE OPERATION OF THE ACELLULAR PERTUSSIS VACCINE TRIAL PROJECT OPERATED BY THE SAN

SAN ANTONIO METROPOLITAN HEALTH DISTRICT (SAMHD);
AMENDING THE PROJECT BUDGET ESTABLISHED IN ORDINANCE
78129, PASSED AND APPROVED ON JUNE 10, 1993; AND
AUTHORIZING CONTRACTUAL SERVICES.

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AN ORDINANCE 79,816

AUTHORIZING THE ACCEPTANCE OF \$371,494.00 FROM THE
TEXAS DEPARTMENT OF HEALTH (TDH) ACTIVITIES
OPERATION BY THE SAN ANTONIO METROPOLITAN HEALTH
DISTRICT (SAMHD); AUTHORIZING THE EXECUTION OF
CONTRACT CHANGE NOTICE NO. 4, COMPRISED OF
ATTACHMENTS 5 THROUGH 8 TO CONTRACT C5000104 WITH
THE TDH; REVISING THE BUDGET FOR THE PUBLIC HEALTH
STATE SUPPORT PROJECT 1994-95, ESTABLISHED IN
ORDINANCE NO. 77973, PASSED AND APPROVED ON MAY 20,
1993; AUTHORIZING CONTRACTUAL SERVICES; AND
AUTHORIZING PERSONNEL POSITIONS.

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AN ORDINANCE 79,817

AUTHORIZING THE CITY MANAGER TO SUBMIT AN
APPLICATION TO THE TEXAS COMMISSION ON THE ARTS
(TCA) FOR \$63,000.00 FOR FOUR (4) GRANTS TO PROVIDE
SUPPORT FOR THE HERTZBERG CIRCUS MUSEUM OPERATIONS,
EDUCATIONAL PROGRAMMING, AND TWO TRAVELING EXHIBITS.

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AN ORDINANCE 79,818

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES
CONTRACT IN THE AMOUNT OF \$29,000.00 WITH SUSAN
BAERG EPSTEIN, LTD. FOR CONSULTING SERVICES IN
CONNECTION WITH THE PLANNING FOR FUTURE LIBRARY
AUTOMATION; APPROPRIATING FUNDS; AND PROVIDING FOR
PAYMENT.

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AN ORDINANCE 79,819

ACCEPTING \$23,309.00 FROM THE ALAMO AREA COUNCIL OF
GOVERNMENTS IN FINANCIAL ASSISTANCE FROM THE TEXAS
CRIMINAL JUSTICE DIVISION THROUGH THE ALAMO AREA
COUNCIL OF GOVERNMENTS (AACOG) FOR USE BY THE SAN
ANTONIO POLICE AND FIRE DEPARTMENTS IN CONNECTION

WITH PERSONNEL TRAINING.

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AN ORDINANCE 79,820

AUTHORIZING THE APPLICATION FRO A HEALTH AND HUMAN SERVICES SUPPLEMENTAL GRANT FOR THE HEAD START - EARLY CHILD CARE PROGRAM YEAR 16 FROM FEBRUARY 1, 1994 THROUGH JANUARY 31, 1995 IN THE AMOUNT OF \$3,352,351.00 FOR QUALITY IMPROVEMENT, COST OF LIVING ALLOCATION (COLA) AND EXPANSION OF THE CURRENT PROGRAM; AMENDING ORDINANCE NO. 79483, PASSED AND APPROVED ON JANUARY 20, 1994; AND APPROVING A REVISED BUDGET FOR SAID PROGRAM.

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AN ORDINANCE 79,821

AUTHORIZING PAYMENT OF THE ANNUAL DUES IN THE AMOUNT OF \$4,233.00 FOR THE CITY ATTORNEY'S OFFICE FOR MEMBERSHIP IN THE NATIONAL INSTITUTE OF MUNICIPAL LAW OFFICERS (NIMLO) FOR THE PERIOD MAY 1994 - APRIL 1995.

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AN ORDINANCE 79,822

AUTHORIZING THE CITY MANAGER TO EXECUTE AN "AGREEMENT FOR THE CITY MANAGER TO EXECUTE AN "AGREEMENT FOR THE CITY TO ASSUME OPERATION & MAINTENANCE OF EXISTING SIGNALS WHEN ANNEXED BY CITY OVER 50,000 POPULATION OR CITY GROWS TO OVER 50,000 POPULATION" WITH THE TEXAS DEPARTMENT OF TRANSPORTATION.

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AN ORDINANCE 79,823

APPROVING A THREE YEAR MANAGEMENT AND PROFESSIONAL SERVICES CONTRACT WITH ALBERT THEODORE IN CONNECTION WITH THE MANAGEMENT OF THE JOHN R. MCFARLIN AND FAIRCHILD TENNIS CENTERS IN THE ANNUAL AMOUNT OF \$14,700.00 AND FOR SUCH OTHER GOOD AND VALUABLE CONSIDERATION PROVIDED FOR IN SAID CONTRACT.

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AN ORDINANCE 79,824

AUTHORIZING THE TEMPORARY CLOSURE OF DORCHESTER PLACE AT TOFTREES DRIVE TO THE END OF THE CUL-DE-SAC, FROM 3:30 P.M. UNTIL 5:00 P.M., SUNDAY, APRIL 17, 1994, AS REQUESTED BY THE RESIDENTS OF DORCHESTER PLACE TO HOLD ITS "KING ANTONIO LXXII BLOCK PARTY".

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AN ORDINANCE 79,825

REAPPOINTING CYNTHIA RUIZ-MCKEE (DISTRICT 5) TO THE ANIMAL CONTROL ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE ON APRIL 3, 1996.

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AN ORDINANCE 79,826

APPOINTING IRENE GUZMAN-ABRAMS (DISTRICT 1) TO THE MAYOR'S COMMISSION ON THE STATUS OF WOMEN FOR A TERM OF OFFICE TO EXPIRE ON DECEMBER 15, 1995.

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AN ORDINANCE 79,827

REAPPOINTING ARMANDO GAMBOA (DISTRICT 5) TO THE MECHANICAL BOARD OF APPEALS FOR A TERM OF OFFICE TO EXPIRE ON MARCH 20, 1996.

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AN ORDINANCE 79,828

REAPPOINTING WILLIAM SALMON (DISTRICT 5) TO THE PLUMBING APPEALS AND ADVISORY BOARD FOR A TERM OF OFFICE TO EXPIRE ON MARCH 20, 1996.

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94-13 The Clerk read the following Ordinance:

AN ORDINANCE 79,829

ACCEPTING THE LOW QUALIFIED BID OF CARPET CORNER IN THE AMOUNT OF \$3,900.00 TO PROVIDE THE CITY OF SAN ANTONIO POLICE DEPARTMENT WITH VINYL TILE TO REPLACE DAMAGED CARPET AREAS AT THE PRUE ROAD POLICE

SUBSTATION.

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Mr. Larson made a motion to approve the proposed Ordinance. Ms. Billa Burke seconded the motion.

In response to a question by Mr. Larson, Mr. Archie Titzman, Director of Purchasing & General Services, addressed the discount offered by the recommended low bidder.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: McClendon, Billa Burke, Avila, Ross, Solis, Ayala, Peak, Larson, Wolff; NAYS: None; ABSENT: Perez, Thornton.

94-13 The Clerk read the following Ordinance:

AN ORDINANCE 79,830

ACCEPTING THE LOW, QUALIFIED BID OF E-Z BEL CONSTRUCTION CO., INC. IN THE AMOUNT OF \$1,234,470.41 IN CONNECTION WITH THE PENTAGON STREETS PHASE IV COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) RECONSTRUCTION PROJECT; AUTHORIZING A CONTRACT; REVISING THE PROJECT BUDGET; AUTHORIZING \$123,723.52 FOR MISCELLANEOUS CONSTRUCTION CONTINGENCIES, \$147.42 FOR ADVERTISING EXPENSES AND \$42,686.87 FOR PROJECT OVERSIGHT COSTS; AND PROVIDING FOR PAYMENT.

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Ms. Billa Burke made a motion to approve the proposed Ordinance. Mr. Avila seconded the motion.

In response to a question by Mr. Avila, Mr. John German, Director of Public Works, addressed the project start-date and noted that a neighborhood meeting will be held, beforehand.

Ms. Ayala asked for additional contractual data on the project, such as project responsibilities, in order to indicate those agencies and how to contact them.

Mr. German stated that his staff would prepare informational sheets on the project, in the future.

Mr. Avila spoke to the small, minority and women-owned business enterprise breakdown on the project.

March 17, 1994

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After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: McClendon, Billa Burke, Avila, Ross, Solis, Ayala, Thornton, Peak, Larson, Wolff; NAYS: None; ABSENT: Perez.

94-13 The Clerk read the following Ordinance:

AN ORDINANCE 79,831

ACCEPTING THE PROPOSAL OF PAPE-DAWSON CONSULTING ENGINEERS, INC. FOR ENGINEERING DESIGN SERVICES IN CONNECTION WITH THE PREPARATION OF THE LEON CREEK WATERSHED DRAINAGE MASTER PLAN STUDY IN THE AMOUNT OF \$398,300.00; AUTHORIZING \$10,000.00 FOR MISCELLANEOUS ENGINEERING CONTINGENCY EXPENSES; REVISING THE PROJECT BUDGET; AND PROVIDING FOR PAYMENT.

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Ms. Billa Burke made a motion to approve the proposed Ordinance. Mr. Peak seconded the motion.

In response to a question by Mr. Ross, Mr. John German, Director of Public Works, spoke to the parameters of the study, noting that this will be the second of three such studies being ordered. He then discussed the "staging" of the studies of creeks and floodplains, and spoke to the need to handle drainage and to counter flooding in various major local watersheds. Mr. Thornton spoke in support for the planning of flood-control efforts by watershed area.

In response to a question by Ms. Ayala, Mr. German spoke to flood drainage in the area of Kelly Air Force Base.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: McClendon, Billa Burke, Avila, Ross, Solis, Ayala, Thornton, Peak, Larson, Wolff; NAYS: None; ABSENT: Perez.

94-13 The Clerk read the following Ordinance:

AN ORDINANCE 79,832

ACCEPTING THE BID PROPOSAL OF UNITED AERIAL MAPPING, INC. IN THE AMOUNT OF \$148,050.00 FOR TOPOGRAPHIC MAPPING SERVICES IN CONNECTION WITH THE LEON CREEK, UPPER OLMOS CREEK, AND SALADO CREEK WATERSHED

STUDIES; APPROPRIATING FUNDS; AND PROVIDING FOR
PAYMENT.

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Ms. Billa Burke made a motion to approve the proposed Ordinance. Mr. Avila seconded the motion.

Mr. Ross spoke to the reasons for awarding this contract to other than the lowest bidder, because of timing considerations.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: McClendon, Billa Burke, Avila, Ross, Solis, Ayala, Thornton, Peak, Larson, Wolff; NAYS: None; ABSENT: Perez.

94-13 The Clerk read the following Ordinance:

AN ORDINANCE 79,833

AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH LLOYD WALKER JARY AND ASSOCIATES, INC. IN THE AMOUNT OF \$15,500.00 FOR ARCHITECTURAL SERVICES IN CONNECTION WITH THE RECONSTRUCTION OF THE RAMIREZ COMMUNITY CENTER PROJECT; AUTHORIZING \$3,000.00 FOR CONTINGENCY EXPENSES; AUTHORIZING \$1,200.00 FOR BID ADVERTISING EXPENSES; AUTHORIZING \$1,000.00 FOR PRINTING EXPENSES; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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Ms. Billa Burke made a motion to approve the proposed Ordinance. Mr. Avila seconded the motion.

In response to a question by Mr. Avila, Mr. Ron Darner, Director of Parks & Recreation, spoke to details of the rehabilitation work to be done on the Ramirez Center, and staff's search for an adequate site on which to conduct recreational activities during the rehabilitation work on the center itself.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: McClendon, Billa Burke, Avila, Ross, Solis, Ayala, Peak, Larson, Wolff; NAYS: None; ABSENT: Perez, Thornton.

94-13 The Clerk read the following Ordinance:

AN ORDINANCE 79,834

AUTHORIZING THE CITY MANAGER TO ACCEPT A GRANT FROM THE TEXAS NATURAL RESOURCE CONSERVATION COMMISSION IN THE AMOUNT OF \$74,762.00 TO CONTINUE THE CODE COMPLIANCE DEPARTMENT'S LITTER ABATEMENT PROGRAM FOR THE PERIOD OF JANUARY 1, 1994, THROUGH DECEMBER 31, 1994; ADOPTING A BUDGET; AND ADOPTING A PERSONNEL COMPLEMENT.

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Mr. Larson made a motion to approve the proposed Ordinance. Mr. Peak seconded the motion.

In response to a question by Mr. Larson, Mr. Martin Rodriguez, Manager of Code Compliance, addressed the principal tasks of the four Abatement Officers, two of whose positions are being funded by the grant, noting that the officers work to counter illegal dumping.

Mr. Larson spoke to his concern with the rising tide of illegal dumping, noting that more than 1,100 illegal dumping sites have been identified, thus far, city-wide.

Mr. Rodriguez stated that some 162 cases of illegal dumping were filed in Municipal Court last year, and he spoke to how citizens can bring such complaints against illegal dumping.

A discussion then took place concerning a possible program for centralized dumping on City property, as a temporary solution.

Mr. Dan Cardenas, Assistant Director of Public Works for Solid Waste, spoke to alternatives that might be considered, and the permits required to be secured from the Texas Natural Resources Conservation Commission.

Discussion then took place concerning the need to coordinate these activities with the various neighborhood associations, and the prosecution of illegal dumpers, as well as the need to address this matter at budget-time.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Avila, Ross, Solis, Thornton, Peak, Larson, Wolff; NAYS: None; ABSENT: Perez, McClendon, Billa Burke, Ayala.

94-13 The Clerk read a proposed ordinance authorizing payments of refunds totaling \$62,111.80 to persons making a double payment, overpayment, or as a result of a value change on 86 tax accounts.

Mr. Avila made a motion to approve the proposed Ordinance. Mr. Peak seconded the motion.

In response to a question by Mr. Larson, Mr. Fred Ramos, City Tax Assessor-Collector, discussed the list of tax refunds being recommended.

Mr. Larson noted that the Resolution Trust Corporation has five of the properties on the list of tax refunds being recommended, and he spoke to his belief that the RTC has a history of allowing its properties to become derelict until the City has no choice but to move in and clean them up.

Mr. Ramos spoke to how fees for such work can be assessed against RTC properties.

Mr. Larson made an amended motion to remove the five RTC-controlled properties from the tax-refund list. Mr. Peak seconded the motion.

Mr. Lloyd Garza, City Attorney, stated that he would review the legalities involved, to see what can be done in this matter.

Mr. Ross spoke to his desire to have this become an official City policy, in the future, on all property tax refunds.

Mr. Larson spoke in support for Mr. Ross' idea.

Mr. Alex Briseno, City Manager, stated that his staff would review the entire issue and bring back a report to City Council.

Ms. McClendon spoke to the status of Coliseum Park Apartments, substandard and scheduled to be demolished. She noted that the community in the area wants to have the apartments renovated into single-family housing. She further noted that the property owner owes substantial amounts of back-taxes.

Mr. Garza stated that he would look into the matter.

After consideration, the amendment, to remove the five RTC-controlled properties from the tax-refund list, prevailed by the following vote: AYES: McClendon, Billa Burke, Avila, Ross, Ayala, Thornton, Peak, Larson, Wolff; NAYS: None; ABSENT: Perez, Solis.

After consideration, the main motion, as amended, and carrying with it the passage of the following Ordinance, prevailed by the following vote: AYES: McClendon, Billa Burke, Avila, Ross, Ayala, Thornton, Peak, Larson, Wolff; NAYS: None; ABSENT: Perez, Solis.

AN ORDINANCE 79,835

AUTHORIZING PAYMENTS OF REFUNDS TOTALING \$56,782.45

TO PERSONS MAKING A DOUBLE PAYMENT, OVERPAYMENT, OR
AS A RESULT OF A VALUE CHANGE ON 81 TAX ACCOUNTS.

94-13 Agenda item 34, being a proposed Resolution focusing on issues and strategies outlined in the Centro 21 Task Force Resolution; coordinating with and exchanging information with other groups and organizations having interests in downtown; and reporting the fiscal year accomplishments, was earlier removed from consideration by the City Manager.

94-13 The Clerk read the following Ordinance:

AN ORDINANCE 79,836

AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO TAKE NECESSARY ACTION TO SETTLE THE CLAIM OF VALERIE MADERO, CLAIM NO. 013960-AB-02 AGAINST THE CITY OF SAN ANTONIO IN THE AMOUNT OF \$8,000.00.

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Ms. Billa Burke made a motion to approve the proposed Ordinance. Mr. Avila seconded the motion.

Mr. Marc Persson, Risk Manager, briefly discussed details of the claim involved.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: McClendon, Billa Burke, Avila, Ross, Ayala, Thornton, Peak, Larson, Wolff; NAYS: None; ABSENT: Perez, Solis.

94-13 The Clerk read the following Resolution:

A RESOLUTION NO. 94-13-12

OF THE CITY COUNCIL OF THE CITY OF SAN ANTONIO ON THE EDWARDS RULES, CHAPTER 313, TO THE TEXAS NATURAL RESOURCE CONSERVATION COMMISSION PUBLIC HEARING OF MARCH 30, 1994 ON THE WATER QUALITY IN THE EDWARDS AQUIFER.

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Ms. Rebecca Q. Cedillo, Vice-President for Planning, San Antonio Water System, explained the proposed San Antonio Water System/City of San Antonio recommendations regarding the Edwards

Aquifer, to be presented to the Texas Natural Resources Conservation Commission at its public hearing March 30, 1994 at Trinity University. She noted that certain recommendations made by the League of Women Voters have been included with the exception of three of these recommendations which SAWS feels are unclear or already in force.

A discussion followed concerning the list of recommendations to be presented to TNRCC at the public hearing.

In response to a question by Mr. Peak, Mr. Scott Halty, Aquifer Studies Division, SAWS, and Ms. Cedillo discussed a number of concerns over the "cumulative effects of development over the recharge zone, and the matter of Water Pollution Abatement Plans.

Mayor Wolff spoke to the need to ask TNRCC to look at the Edwards Aquifer recharge zone overall, and to put into place a plan to control the 'cumulative effects' of development over that recharge zone, noting his belief that this is a state responsibility. He also stated his desire that the joint recommendations to be made to TNRCC should include this recommendation for consideration.

Mr. Peak made a motion to approve the proposed Resolution. Ms. Billa Burke seconded the motion.

Mr. Peak made an amendment to the motion to include the recommendation dealing with "cumulative effects of development over the Edwards Aquifer recharge zone". Ms. Billa Burke seconded the motion.

The following persons appeared to speak:

Mr. Tom Culbertson, 511 Westwood, stated that he was pleased to see this emphasis, and spoke to his desire to see some of TNRCC's power decentralized down to the Edwards Underground Water District so as to emphasize local control.

Mr. Steve Schultz, Greater San Antonio Chamber of Commerce, commended City Council for organizing into a 'committee of the whole' to study water quality for San Antonio. He spoke to his concern that the local business and development communities may be seen as non-responsive to conservation of water in the recharge zone, and he addressed a number of recommendations, a list of which is made a part of the papers of this meeting.

Mr. Ross spoke to a proposed ban on transportation of hazardous materials over the recharge zone, and asked that this be included in the recommendations made to TNRCC. He noted that the state's Department of Transportation then can figure out how best to route the transportation of hazardous materials around the recharge zone.

Mr. Ross made an amended motion to include a proposed ban on transportation of hazardous materials over the Edwards Aquifer recharge

zone with the recommendations to be made to TNRCC at the March 30, 1994 public hearing. Mr. Avila seconded the motion.

Ms. Cedillo noted that the purpose of the public hearing is to hear recommendations on the matter of development over the recharge zone.

Mr. John German, Director of Public Works, stated his belief that a ban on transportation of hazardous materials over the recharge zone may be too strong a recommendation to make to TNRCC.

Mr. Thornton expressed his concern that TNRCC might not have the resources to fully enforce such a ban.

After discussion, the maker and seconder of the second amendment agreed to withdraw that amendment from consideration.

Mr. Peak then re-stated his first amendment.

After consideration, the amendment to include the recommendation dealing with "cumulative effects of development over the Edwards Aquifer recharge zone", prevailed by the following vote: AYES: Billa Burke, Avila, Ross, Solis, Thornton, Peak, Wolff; NAYS: None; ABSENT: Perez, McClendon, Ayala, Larson.

After consideration, the main motion, as amended, and carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Billa Burke, Avila, Ross, Solis, Thornton, Peak, Wolff; NAYS: None; ABSENT: Perez, McClendon, Ayala, Larson.

(At this point, Mayor Wolff was obliged to leave the meeting. Mayor Pro Tem Billa Burke presided.)

94-13 The Clerk read the following Ordinance:

AN ORDINANCE 79,837

AUTHORIZING THE CITY MANAGER TO SUBMIT A SIGNED CONTRACT AS AN APPLICATION TO THE STATE DEPARTMENT OF TRANSPORTATION, TRAFFIC SAFETY SECTION FOR A GRANT IN THE AMOUNT OF \$150,000.00 TO DEVELOP AND IMPLEMENT A HISPANIC COMMUNITY AWARENESS PROGRAM (EL PROTECTOR) CONCERNING TRAFFIC SAFETY REGULATIONS.

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Mr. Solis made a motion to approve the proposed Ordinance. Mr. Avila seconded the motion.

Lt. Rudy Gonzales, San Antonio Police Department, briefly explained the Hispanic Community Awareness Program (El Protector), noting that certain other U.S. cities have similar programs to help reduce Hispanic involvement in traffic safety problems. He described the effect of other such programs and educations programs offered in the public schools, to this end.

Mr. Avila spoke to the benefits of the program, targeting the Hispanic community.

A discussion then ensued concerning the matter of out-year funding and funding matches, and the question of how to insure that the City of San Antonio is in charge of the program, with Bexar County advising the program via the board of directors.

Mr. Ross noted that accepting this grant will mandate that the City of San Antonio commit to matching funds in the second and third years of the grant.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: McClendon, Billa Burke, Avila, Ross, Solis, Thornton, Peak; NAYS: None; ABSENT: Perez, Ayala, Larson, Wolff.

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94-13 PUBLIC HEARING - REVISIONS TO "GUIDELINES & CRITERIA FOR TAX PHASE-IN AND REINVESTMENT ZONES"

Mayor Pro Tem Billa Burke declared the Public Hearing to be open.

Mr. Clint Bolden, Director of Economic Development, explained the requirement for the City Council to review tax phase-in guidelines every three years, and he addressed certain minor refinements of those guidelines being recommended by City staff.

The following citizens spoke on the matter:

Mr. Howard Johnston, 6594 Kings Grant, spoke in favor of having a metropolitan government for San Antonio, and he addressed the need to maintain the City's integrity.

Mr. Tomas Larralde, representing the Mexican American Legal Defense and Education Fund, asked the City council to postpone action on this matter and to better publicize the public hearing, perhaps holding it during the evening hours.

Mr. Doug Becker, 300 Convent #900, representing the Real Estate Council, spoke to the need to attract more business to San Antonio.

Mr. George Rice, 1658 Rob Roy, spoke against giving tax-breaks

for development over the Edwards Aquifer recharge zone, and addressed contamination problems. He then distributed copies of a booklet entitled "AGUA Report", a copy of which is made a part of the papers of this meeting, quoting contained data to indicate development over the recharge zone already is contaminating the aquifer. He expressed his hope that the City will discourage development over the recharge zone.

Mr. Dick Beauvais, Regional Clean Air & Water Association, stated his belief that it would be an error to encourage further development over the recharge zone.

(At this point, Mayor Wolff returned to the meeting to preside.)

Mr. Bebb Francis, attorney with Cox & Smith, 112 East Pecan Street, spoke to how tax phase-in guidelines are applied to development, and urged the City Council to attract more business to San Antonio. He stated his belief that rules should be created to control development, not discourage it.

Mr. James Hannah, P.O. Box 7250, San Antonio, stated his belief that tax abatement for some means tax increases for others. He spoke in support for a plan to curb growth to the north, and instead develop more into other parts of the city. He then spoke to pollution of the Edwards Aquifer.

Mr. Michael J. Albach, Edwards Underground Water District, stated that his agency does not encourage development over the Edwards Aquifer recharge zone, but favors development in less-sensitive areas. He asked the City Council to exclude the recharge zone from its 'guidelines' for tax phase-in development.

In response to a question by Mr. Thornton, Mr. Albach stated that his expressed views represent those of some members of his board of directors, but not the entire board.

A discussion ensued concerning the advantages of certain 'guidelines' for tax phase-in development.

Ms. Danielle Milam, also representing AGUA, urged the City Council to ban tax phase-in development over the recharge zone as a growth-management tool and also to protect the aquifer.

Ms. Annalisa Peace, representing Clean Air & Water Association and AGUA, asked that an evening public hearing be called on this matter, and spoke to her concerns with certain development over the recharge zone.

Ms. Maria Berriozabal, 1148 West Russell Place, former City Councilwoman, stated her feeling that this is a critical issue, and expressed a desire to see a public hearing held on this during evening hours, prior to City Council action. She addressed the importance of development over the recharge zone.

Ms. June Kachtik, Northside Neighborhood for Organized Development, presented a copy of her remarks, a copy of which is made a part of the papers of this meeting. She urged the City Council not to locate tax phase-in and reinvestment zones over the recharge zone.

Mr. Mario Hernandez, Economic Development Foundation, spoke to the need for an incentive program to allow San Antonio to compete for new businesses, and spoke against mixing an 'incentive' program for development and 'regulations'.

There being no further citizens signed to speak to this matter, Mayor Wolff declared the public hearing to be closed.

Mr. Bolden stated that City staff plans to return to City Council on March 30, 1994 for a vote on adoption of the proposed changes to the guidelines, and addressed details of the pending La Cantera application for a hotel and other development near Fiesta Texas.

Mayor Wolff spoke to the City Council's current series of meetings over Edwards Aquifer water quality, and noted that the City currently already is planning a 6:00 P.M. hearing on May 10, 1994 in City Council chambers on that work. He stated that the Council might want to combine the water quality and tax phase-in guidelines issues into one hearing at this time.

Mr. Alex Briseno, City Manager, noted that the City Council could hold a new public hearing the evening of March 31, 1994 in order to have newly-adopted policies in place by the first of April.

Mayor Wolff discussed the various options, and noted that City Council needs to act in concert with Commissioners Court of Bexar County on the matter of tax phase-in issues.

Mr. Ross spoke in support for tax phase-in guidelines as a tool of economic development, and stated that he would support an evening public hearing in the Mission Room on this question.

In response to a question by Mr. Thornton, Mr. Bolden spoke to last year's job creation picture in San Antonio, as compared to job creation in cities such as Dallas and Houston.

Mr. Thornton noted that tax phase-ins have created most of those new jobs, and further noted that everyone wants to protect the Edwards Aquifer from pollution.

Ms. Grace Luna, Economic Development Department, spoke to the geographic dispersion of jobs among the 13 businesses granted tax phase-ins during the life of the current program.

(At this point, Mayor Wolff was obliged to leave the meeting. Mayor Pro Tem Billa Burke presided.)

In response to a question by Mr. Thornton, Mr. Doug Leonhart, representing the La Cantera development for USAA, spoke to that pending development, and addressed the importance of tax phase-in programs to major San Antonio developments.

Mr. Hernandez staged his opinion that San Antonio needs to add some 20,000 new jobs each year, in order to maintain its growth.

Mr. Peak stated his belief that the City cannot jeopardize new development, yet at the same time needs to protect the aquifer.

(At this point, Mayor Wolff returned to the meeting to preside.)

Mr. Solis suggested that area public hearings be held on this matter, and noted that the City Council needs to approve the recommended guidelines except for those that affect the Edwards Aquifer. He spoke against tax phase-in development over the recharge zone, and spoke in favor of a moratorium on any more tax phase-in development applications over that recharge zone.

After discussion, Mr. Solis made a motion to direct City staff to prepare the recommended tax phase-in guidelines for City Council adoption on March 31, 1994, with the exception of those over the Edwards Aquifer recharge zone; that a 90-day moratorium on any additional tax phase-in applications be set in place, with the exception of the pending application in the La Cantera development; and that a May 10, 1994 public hearing be set up in the South Banquet Hall of the Henry B. Gonzalez Convention Center on the matter of proposed tax phase-in development over the Edwards Aquifer recharge zone and proposed new regulations for that area. Ms. McClendon seconded the motion.

Ms. McClendon spoke to her desire to encourage development throughout San Antonio, and addressed her concern for development over the recharge zone.

Mr. Larson lauded the Fiesta Texas development for its sensitivity toward protection of the recharge zone.

Mr. Gene Dawson, Jr., engineer, spoke to certain preliminary work that must be done before an application for tax phase-in development can be filed, and he addressed details of the Fiesta Texas water pollution abatement plan.

The pending motion, giving direction to City staff, prevailed by the following vote: AYES: Perez, McClendon, Avila, Solis, Ross, Thornton, Peak, Larson, Wolff. NAYS: None. ABSENT: Ayala.

94-13 DISCUSSION TO AUTHORIZE USE OF DISCRETIONARY FUNDS

Discussion was held regarding the use of Discretionary Funds to

assist Precinct 5 (Constable Ruben Tejeda) to purchase additional bicycle equipment for security patrol of school areas located in District 5, as requested by Councilman Henry Avila.

Mr. Avila then made a motion to refer this matter to the Council's City/County Committee for a review of the issue. Mr. Solis seconded the motion.

After consideration, the motion, to refer the matter to the Council's City/County Committee, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Ross, Solis, Thornton, Peak, Larson, Wolff; NAYS: None; ABSENT: Ayala.

94-13 The Clerk read the following Ordinance:

AN ORDINANCE 79,838.

APPROVING THE CITY'S PARTICIPATION IN A MEDIATED SETTLEMENT OF CAUSE NO. 92-CI-13820, STYLED SHEENA BASSETT V. MIKE HERMES, JR. ET AL IN THE 150TH JUDICIAL DISTRICT COURT OF BEXAR COUNTY, TEXAS; APPROPRIATING \$20,798.33 AND AUTHORIZING PAYMENT THEREOF AS THE CITY'S SHARE IN THE SETTLEMENT OF THIS CASE.

* * * *

Mr. Perez made a motion to approve the proposed Ordinance. Mr. Avila seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Ross, Peak, Larson, Wolff; NAYS: None; ABSENT: Solis, Ayala, Thornton.

94-13 The Clerk read the following Ordinance:

AN ORDINANCE 79,839

ESTABLISHING FORTY POLICE CADET POSITIONS IN THE SAN ANTONIO POLICE DEPARTMENT; AND DECLARING AN EMERGENCY.

* * * *

Mr. Perez made a motion to approve the proposed Ordinance.

Ms. Billa Burke seconded the motion.

Captain Tyrone Power, San Antonio Police Department, spoke to details of the establishment of some 40 Police Cadet positions.

(At this point, Mayor Wolff was obliged to leave the meeting. Mayor Pro Tem Billa Burke presided.)

In response to a question by Mr. Larson, Captain Power addressed the planned usage of the 40 new officers, including crisis intervention and community policing.

Mr. Perez discussed the possibility of having a Council Resolution enacted in support of the crime bill now before the U.S. Congress.

A discussion ensued concerning minority recruiting for the San Antonio Police Department.

Mr. Alex Briseno, City Manager, stated that City staff would schedule a future "B" Session on this matter.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Ross, Solis, Thornton, Peak, Larson, Wolff; NAYS: None; ABSENT: Ayala.

94-13 The Clerk read the following Ordinance:

AN ORDINANCE 79,840

AUTHORIZING THE TEMPORARY CLOSURE OF A PORTION OF BARLITE, NAVAJO, KINDRED, SIOUX, PALO ALTO, SOMERSET, MCCAULEY, OTTO, AND MAYFIELD STREETS, FROM 4:00 P.M. UNTIL 6:00 P.M., TUESDAY, MAY 17, 1994, FOR A PARADE IN RECOGNITION OF LAW ENFORCEMENT WEEK BY THE SOUTH SAN ANTONIO INDEPENDENT SCHOOL DISTRICT, AS REQUESTED BY COUNCILMAN HENRY AVILA.

* * * *

Mr. Solis made a motion to approve the proposed Ordinance. Ms. Billa Burke seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Solis, Thornton, Peak, Larson, Wolff; NAYS: None; ABSENT: Ayala, Ross.

94-13 The Clerk read the following Ordinance:

AN ORDINANCE 79,841

AUTHORIZING THE TEMPORARY CLOSURE OF ALL WESTBOUND LANES OF NUEVA BETWEEN S. ALAMO AND S. PRESA FROM 6:00 P.M., FRIDAY, APRIL 1, 1994, FOR THE PURPOSE OF HOLDING THE STARVING ARTIST ART SHOW AS REQUESTED BY THE HISTORIC LITTLE CHURCH OF LA VILLITA.

* * * *

Ms. McClendon made a motion to approve the proposed Ordinance. Ms. Billa Burke seconded the motion.

After consideration, the motion, carrying with it the passage of the Ordinance, prevailed by the following vote: AYES: Perez, McClendon, Billa Burke, Avila, Solis, Ayala, Ross, Thornton, Peak, Larson, Wolff; NAYS: None; ABSENT: None.

94-13 NATIONAL LEAGUE OF CITIES CONFERENCE

Mr. Thornton stated that the steering committee for the National League of Cities' Finance, Administration, and Intergovernmental Relations (FAIR) Committee will be meeting in San Antonio May 10-14, 1994, with some 40 persons in attendance.

Mr. Peak and Mr. Perez both spoke to a number of new innovations arising from the recent NLC conference in Washington, D.C.

94-13 RETIREMENT OF MR. WINSTON MARTIN

Mr. Ross spoke to the pending retirement of Mr. Winston Martin, Executive Director, San Antonio Development Agency, on March 31, 1994, and his subsequent appointment as Special Projects Officer for the San Antonio office of the Housing and Urban Development Department, Region 6. He addressed possible plans for a City Council function to honor Mr. Martin on the occasion of his retirement from many years of service with the City of San Antonio.

94-13 CITIZENS TO BE HEARD

TOM JOHNSON

Mr. Tom Johnson, Checker Cab, and San Antonio Taxi Alliance, spoke to the City Council about a situation at the Airport regarding the

taxi-cab and shuttle service. He stated that he feels that the present shuttle service cannot adequately handle the airport traffic. He suggested that this issue be investigated since there are also other discrepancies being noted.

Captain Tom Polonis, Commander of the Operational Support Section, Ground Transportation, stated that they will be meeting with Airport Personnel to discuss and review these allegations. Mayor Wolff asked for a report to the Council on the results of the investigation.

DON WILKINS CASTILLO

Mr. Don Wilkins Castillo again spoke to the issue of crime in the community. He urged the Council members to "walk" their respective districts to review the crime situations in person.

94-13 City Council recessed its regular meeting at 5:47 P.M. in order to convene in Executive Session for a briefing on the settlement of PECO, Inc. d/b/a Peerless Contractors vs City of San Antonio, Cause No. 91-CI-18085, reconvening at 6:57 P.M. in regular session.

City Council reconvened its regular session at 6:57 P.M., at which time Mayor Wolff announced that staff had been briefed on the settlement of PECO, Inc., but had taken no action.

94-13 There being no further business to come before the Council, the meeting was adjourned at 6:58 P.M.

A P P R O V E D


M A Y O R

Attest:


C i t y C l e r k